



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We Protect Hoosiers and Our Environment.

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Eric J. Holcomb
Governor

Bruno L. Pigott
Commissioner

STATE OF INDIANA)	SS: BEFORE THE INDIANA DEPARTMENT OF
)	
COUNTY OF MARION)	ENVIRONMENTAL MANAGEMENT
COMMISSIONER OF THE DEPARTMENT)	
OF ENVIRONMENTAL MANAGEMENT,)	
)	
Complainant,)	
)	
v.)	Case No. 2019-26518-A
)	
GREENVILLE TECHNOLOGY, INC.,)	
)	
Respondent.)	

AGREED ORDER

Complainant and Respondent desire to settle and compromise this action without hearing or adjudication of any issue of fact or law, and consent to the entry of the following Findings of Fact and Order. Pursuant to Indiana Code ("IC") 13-30-3-3, entry into the terms of this Agreed Order does not constitute an admission of any violation contained herein. Respondent's entry into this Agreed Order shall not constitute a waiver of any defense, legal or equitable, which Respondent may have in any future administrative or judicial proceeding, except a proceeding to enforce this order.

I. FINDINGS OF FACT

1. Complainant is the Commissioner ("Complainant") of the Indiana Department of Environmental Management ("IDEM"), a department of the State of Indiana created by IC 13-13-1-1.
2. Respondent is Greenville Technology, Inc. ("Respondent"), which owns and operates a stationary plastic automobile parts manufacturing plant with Plant ID No. 095-00136, located at 3511 West 73rd Street, in Anderson, Madison County, Indiana ("Site").
3. IDEM has jurisdiction over the parties and the subject matter of this action.
4. Pursuant to IC 13-30-3-3, IDEM issued a Notice of Violation ("NOV") in conjunction with this Agreed Order via Certified Mail to:

Akio Morimoto, President
Greenville Technology, Inc.
5755 State Road 571 East
Greenville, OH 45331

Craig Wiley, Registered Agent
211 N. Pennsylvania St, Suite 1700
Indianapolis, IN 46204

5. During an investigation including a report review conducted by a representative of IDEM, the following violations were found:

- a. Pursuant to Federally Enforceable State Operating Permit (FESOP) No. 095-38417-00136 ("Permit"), condition D.1.8(c), on and after the date the stack test results are available, Respondent shall operate the regenerative thermal oxidizers (CE01 and CE03) at or above the 3-hour average temperature as observed during the compliant stack test.

Respondent failed to operate regenerative thermal oxidizer CE01 at or above the 3-hour average temperature of 1580° observed during the November 8, 2018 stack test a total of 446 times from January 2, 2019 to July 25, 2019, in violation of Permit condition D.1.8(c).

- b. Pursuant to Permit condition D.1.1(a), the VOC emissions from the regenerative thermal oxidizer (CE01), which is used to control the emissions from the paint booth, flash off tunnel, and natural gas-fired cure oven of the plastic parts surface coating line (EU01) shall not exceed 2.93 pounds per hour.

Pursuant to Permit condition D.1.3(a), and pursuant to 326 IAC 8-1-6, the Permittee shall control the VOC emissions from the paint booth, flash off tunnel, and natural gas-fired cure oven of the plastic parts surface coating line (EU01) using Best Available Control Technology (BACT).

Pursuant to Permit condition D.1.7(a), in order to comply with Conditions D.1.1(a) and D.1.3(a), the regenerative thermal oxidizer (CE01) for VOC control shall be in operation at all times when the paint booth, flash off tunnel, and natural gas-fired cure oven of the plastic parts surface coating line (EU01) is in operation.

Respondent failed to operate the regenerative thermal oxidizer (CE01) from July 16, 2018 to July 22, 2018, in violation of Permit conditions D.1.1(a), D.1.3(a), D.1.7(a), and 326 IAC 8-1-6.

- c. Pursuant to Permit condition C.16, Respondent shall submit a Quarterly Deviation and Compliance Monitoring Report or its equivalent. This report shall be submitted not later than thirty (30) days after the end of the reporting period.

Respondent failed to submit their first (1st) quarter 2018 Quarterly Deviation and Compliance Monitoring Report by no later than April 30, 2018, in violation of Permit condition C.16.

- d. Pursuant to Permit condition C.16, Respondent shall submit a Quarterly Deviation and Compliance Monitoring Report or its equivalent. Any deviation from permit requirements, the date(s) of each deviation, the cause of the deviation, and the response steps taken must be reported.

Respondent failed to report all deviations relating to the failure of the regenerative thermal oxidizer (CE01) on their third (3rd) quarter 2018 Quarterly Deviation and Compliance Monitoring Report, in violation of Permit condition C.16.

- e. Pursuant to Permit condition D.1.10(a), daily inspections shall be performed to verify that the water level of the water pans of the water wash curtains (CE02 and CE04) meet the manufacturer's recommended level.

Pursuant to Permit condition D.1.11(c), Respondent shall maintain a log of the daily inspections of the water level in the pans.

Respondent failed to record the results of their daily inspections to verify that the water level of the water pans of the water wash curtain for CE04 meet the manufacturer's recommended level on six (6) days during April, 2019, in violation of Permit conditions D.1.10(a) and D.1.11(c).

- f. Pursuant to Permit condition D.1.10(b), weekly observations shall be made of the overspray from the plastic parts surface coating lines stacks (EP01 and EP02) while the plastic parts surface coating lines are in operation.

Pursuant to Permit condition D.1.11(d), Respondent shall maintain a log of weekly overspray observations and monthly inspections.

Respondent failed to record the results of the weekly observations of the overspray from the plastic parts surface coating line stack EP02 a total of fourteen (14) weeks from April 16, 2018 to July 15, 2019, in violation of Permit conditions D.1.10(b) and D.1.11(d).

- g. Pursuant to Permit condition D.1.10(c), monthly inspections shall be performed of the coating emissions from the stacks (EP01 and EP02) and the presence of overspray on the rooftops and the nearby ground.

Pursuant to Permit condition D.1.11(d), Respondent shall maintain a log of weekly overspray observations and monthly inspections.

Respondent failed to record the results of the monthly inspections for the presence of overspray on the rooftops and nearby ground from stack EP02 a total of four (4) months from March 2018 to March 2019, in violation of Permit conditions D.1.10(c) and D.1.11(d).

- h. Pursuant to Permit condition D.1.8(c), on and after the date the stack test results are available, Respondent shall operate the regenerative thermal oxidizers (CE01 and CE03) at or above the 3-hour average temperature as observed during the compliant stack test.

Respondent failed to operate regenerative thermal oxidizer CE01 at or above the 3-hour average temperature of 1572° observed during the December 3, 2013 stack test a total of twenty-four (24) times from January 3, 2018 to December 11, 2018, in violation of Permit condition D.1.8(c).

- i. Pursuant to Permit condition D.1.8(c), on and after the date the stack test results are available, Respondent shall operate the regenerative thermal oxidizers (CE01 and CE03) at or above the 3-hour average temperature as observed during the compliant stack test.

Respondent failed to operate regenerative thermal oxidizer CE03 at or above the 3-hour average temperature of 1544° observed during the October 31, 2017 stack test a total of thirteen (13) times from May 7, 2018 to August 27, 2018, in violation of Permit condition D.1.8(c).

- 6. Respondent made repairs to regenerative thermal oxidizer (CE01) on July 22, 2018 and returned to normal production.
- 7. Respondent adjusted the minimum temperature setpoint of regenerative thermal oxidizer (CE01) to 1580° and installed an interlock during the week of July 22, 2019.
- 8. Respondent submitted a revised third (3rd) quarter 2018 Quarterly Deviation and Monitoring Report on June 28, 2019 to report the failure of the regenerative thermal oxidizer (CE01).
- 9. Orders of the Commissioner are subject to administrative review by the Office of Environmental Adjudication under IC 4-21.5; however, in recognition of the settlement reached, Respondent acknowledges notice of this right and waives any right to administrative and judicial review of this Agreed Order.

II. ORDER

- 1. This Agreed Order shall be effective ("Effective Date") when it is approved by Complainant or Complainant's delegate, and has been received by Respondent. This Agreed Order shall have no force or effect until the Effective Date.
- 2. Respondent shall comply with the rules and permit conditions at issue listed in the findings of fact above.
- 3. All submittals required by this Agreed Order, unless IDEM notifies the Respondent otherwise in writing, shall be sent to:

Jennifer Bailey, Enforcement Case Manager
Office of Air Quality
Indiana Department of Environmental Management
100 North Senate Avenue
Indianapolis, IN 46204-2251

4. Pursuant to IC 13-30-4-1, Respondent is assessed and agrees to pay a civil penalty of Thirty-Two Thousand Two Hundred Fifty Dollars (\$32,250). Said penalty amount shall be due and payable to the Environmental Management Special Fund within thirty (30) days of the Effective Date; the thirtieth day being the "Due Date."

5. Civil penalties are payable by check to the "Environmental Management Special Fund." Checks shall include the Case Number of this action and shall be mailed to:

Indiana Department of Environmental Management
Accounts Receivable
IGCN, Room 1340
100 North Senate Avenue
Indianapolis, IN 46204

6. In the event that the monies due to IDEM pursuant to this Agreed Order are not paid on or before their Due Date, Respondent shall pay interest on the unpaid balance at the rate established by IC 24-4.6-1. The interest shall be computed as having accrued from the Due Date until the date that Respondent pays any unpaid balance. Such interest shall be payable to the Environmental Management Special Fund, and shall be payable to IDEM in the manner specified in Paragraph 5, above.
7. Signatories to this Agreed Order certify that they are fully authorized to execute this Agreed Order and legally bind the party they represent.
8. This Agreed Order shall apply to and be binding upon Respondent and all successors and assigns. Respondent shall provide a copy of this Agreed Order, if in force, to any subsequent owners, successors, or assigns before ownership rights are transferred.
9. No change in ownership, corporate, or partnership status of Respondent shall in any way alter the Respondent's status or responsibilities under this Agreed Order.
10. Respondent shall ensure that all contractors, firms, and other persons performing work under this Agreed Order comply with the terms of this Agreed Order.

11. In the event that any terms of this Agreed Order are found to be invalid, the remaining terms shall remain in full force and effect and shall be construed and enforced as if this Agreed Order did not contain the invalid terms.
12. This Agreed Order is not and shall not be interpreted to be a permit or a modification of an existing permit. This Agreed Order, and IDEM's review or approval of any submittal made by Respondent pursuant to this Agreed Order, shall not in any way relieve Respondent of the obligation to comply with the requirements of any applicable permits or any applicable Federal or State laws or regulations.
13. Complainant does not, by its approval of this Agreed Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Agreed Order will result in compliance with the provisions of any permit, order, or any applicable Federal or State law or regulation. Additionally, IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of Respondent's efforts to comply with this Agreed Order.
14. Nothing in this Agreed Order shall prevent or limit IDEM's rights to obtain penalties or injunctive relief under any applicable Federal or State law or regulation, except that IDEM may not, and hereby waives its right to, seek additional civil penalties for the violation specified in the NOV.
15. Nothing in this Agreed Order shall prevent IDEM or anyone acting on its behalf from communicating with the U.S. Environmental Protection Agency ("U.S. EPA") or any other agency or entity about any matters relating to this enforcement action. IDEM or anyone acting on its behalf shall not be held liable for any costs or penalties Respondent may incur as a result of such communications with the U.S. EPA or any other agency or entity.
16. This Agreed Order shall remain in effect until Respondent has complied with all terms and conditions of this Agreed Order and IDEM has issued a Resolution of Case letter to Respondent.

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TECHNICAL RECOMMENDATION:
Department of Environmental
Management

By: David P. McIver

David P. McIver
Section Chief
Enforcement Section
Office of Air Quality

Date: December 14, 2021

RESPONDENT:
Greenville Technology, Inc.

By: _____

Printed: _____

Title: _____

Date: _____

COUNSEL FOR RESPONDENT:

By: _____

Date: _____

APPROVED AND ADOPTED BY THE INDIANA DEPARTMENT OF
ENVIRONMENTAL MANAGEMENT THIS _____ DAY OF
_____, 20____.

For the Commissioner:

Matthew Stuckey
Assistant Commissioner
Office of Air Quality
Indiana Department of Environmental
Management